

# New Zealand

 [freedomhouse.org/report/freedom-press/2014/new-zealand](https://freedomhouse.org/report/freedom-press/2014/new-zealand)

## Freedom of the Press

Press freedom in New Zealand is guaranteed by convention and statute rather than constitutional right, and it is supplemented by freedom of information legislation passed in 1982. Sedition legislation was abolished in 2007. The media are generally regarded as free and independent.

Defamation cases are civil matters, and can result in both punitive damages and heavy fines. In an unusual lawsuit in July 2013, Jon Stephenson, an independent journalist covering counterterrorism efforts in Afghanistan, sued New Zealand Defence Force chief Lieutenant General Rhys Jones in the High Court for defamation over a press release issued in response to an investigative article about the elite Special Air Service (SAS). The article was published under the title “Eyes Wide Shut” in *Metro* magazine in 2010. Stephenson sought NZ\$500,000 (US\$418,000) in damages over the general’s assertion that the journalist had not visited a base in Kabul or interviewed a colonel as he claimed. In court, the general admitted he was wrong, but the jury could not decide whether Stephenson had been defamed. Although the case upheld the ability of the New Zealand media to robustly investigate military matters, the Defence Force went to extraordinary lengths to intimidate Stephenson during his reporting, including attacking his credibility and possibly obtaining telephone records. In mid-2013, in a case that raised concerns regarding official surveillance of reporters, information surfaced that the phone records of another investigative journalist, Andrea Vance, had been systematically collected and stored at the request of a parliamentary agency.

New Zealand has been considering proposed changes to media regulations in response to the shift to internet-based news platforms. In April 2013, the New Zealand Law Commission released its final plan to roll the existing self-regulatory Press Council (NZPC), the statutory Broadcasting Standards Authority (BSA), and a proposed Online Media Standards Authority (OMSA) into a single regulatory body—the News Media Standards Authority (NMSA)—that will cover all forms of media, including online outlets and individuals who publish news for a public audience. Bloggers can choose whether they wish to be part of the new regulatory framework. In November, the government moved to adopt a separate Law Commission recommendation, introducing a new “cyberbullying” bill designed to address online harassment, in part by authorizing take-down orders for harmful content. The bill passed its first reading in Parliament at year’s end.

Journalists are generally able to cover the news freely, and physical attacks or threats against the media are rare. There were no reports of physical harassment or assaults against journalists in 2013.

New Zealand has two state-owned yet commercial broadcasting corporations, Television New Zealand (TVNZ) and Radio New Zealand. However, the vast majority of print and broadcast media outlets are privately owned. Australian-owned companies control a substantial portion of the print sector; Fairfax Media Limited boasts almost 48 percent of daily newspaper circulation. The country’s largest and most influential daily newspaper, the *New Zealand Herald*, and a string of smaller provincial and suburban newspapers are owned by another Australian firm, APN News & Media. TVNZ has promoted increasing collaboration with the subscription network Sky TV and its free-to-air channel, Prime TV. Another rival, the MediaWorks group, which owns TV3, was given a controversial preferential-payment arrangement in 2011 for NZ\$43 million (US\$35 million) in radio frequency fees. Meanwhile, the government-funded Māori Television continues to develop strongly, with its second channel, Te Reo, broadcasting in the indigenous

Māori language. There are no government restrictions on the internet, which was accessed by 83 percent of the population in 2013.

In 2011, the New Zealand Press Association cooperative closed after 132 years as the national news agency, although private publishers such as APN and Fairfax have launched a number of new services in an attempt to fill the gap. Meanwhile, market pressures have continued to erode the quality, breadth of coverage, and independence of New Zealand media.

## **2014 Scores**

### **Press Status**

Free

### **Press Freedom Score**

**(0 = best, 100 = worst)**

18

### **Legal Environment**

**(0 = best, 30 = worst)**

3

### **Political Environment**

**(0 = best, 40 = worst)**

8

### **Economic Environment**

**(0 = best, 30 = worst)**

7